IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No. 294 of 1984

For Approval and Signature:

HONOURABLE MR.JUSTICE M.C.PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RAYASUDDIN M KAZI - Appellant(s)
Versus
KAZI KUTBUDDIN @ SALIMUDDIN HAFISUDDIN BIN BAVAMIYA & 6 - Defendant(s)

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Appearance :
MR MC SHAH for Appellant(s) : 1,
MR KB PADIA for Defendant(s) : 1,
NOTICE SERVED for Defendant(s) : 2 - 7.
None for Defendant(s) : 4, 7,
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CORAM : HONOURABLE MR.JUSTICE M.C.PATEL

Date : 31/03/2006

ORAL JUDGMENT

In this appeal, the following question of law was formulated as substantial question of law at the time of admission:-

The question of construing Exhibit 28/2 and judgment of G.R.T. at Exhibit 83 arises for deciding the title of point to the suit land.

2. Mr. M.C. Shah, learned advocate for the appellants stated that even if the appeal was to be allowed, the total amount that the appellants would get would be Rs.1,199/-. On going through the judgments of the courts below, it appears that the judgments and decrees of both the courts below are based on findings of fact recorded after appreciation of evidence. No interference is, therefore, called for. The appeal is, therefore, dismissed.

(M.C. Patel, J.)

hki